IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 14TH FEBRUARY 2007 / 25TH MAGHA 1928

WP(C).No. 25517 of 2006(K)

PETITIONER:
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1. SREELATHA U.M., D/O.U.M.GHRINI,
ASWATHY, MATTAYA, NHANGATTIRI P.O.,
PALAKKAD DISTRICT,
WORKING AS FULL TIME HINDI TEACHER IN
UPSA A.U.P.SCHOOL, NHANGATTIRI, PALAKKAD DISTRICT.

2. SOJA A.M., D/O.A.M.MOHANAN,
ATTUPURATH MANA, CHERUKARA P.O.,
PERINTHALMANNA, MALAPPURAM DISTRICT,
WORKING AS IN UPSA A.U.P.SCHOOL, NHANGATTIRI,
PALAKKAD DISTRICT.

BY ADV. SRI.K.P.SUDHEER

RESPONDENTS:
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1. STATE OF KERALA,
REP. BY THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF GENERAL EDUCATION,
SECRETARIAT, THIRUVANANTHAPURAM.

2. ASSISTANT EDUCATIONAL OFFICER,
THRITHALA, PALAKKAD DISTRICT.

3. H.NARAYANAN, MANAGER,
NHANGATTUR U.P.SCHOOL, NHANGATTIRI P.O.,
PALAKKAD DISTRICT.

BY GOVERNMENT PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

EXT.P1	**TRUE COPY OF THE ORDER OF APPOINTMENT OF FIRST PETITIONER.**
EXT.P2	**TRUE COPY OF THE ORDER OF APPOINTMENT DTD. 1-6-05**
EXT.P3	**TRUE COPY OF THE LEAVE APPROVAL ORDER OF SRI.P.V.KRISHNAKUMAR.**
EXT.P4	**TRUE COPY OF THE APPOINTMENT ORDER OF THE SECOND PETITIONER.**
EXT.P5	**TRUE COPY OF THE ORDER OF R2 REJECTING THE APPLICATION OF THE FIRST PETITIONER.**
EXT.P6	**TRUE COPY OF THE ORDER OF R2 REJECTING THE APPLICATION OF THE SECOND PETITIONER.**
EXT.P7	**TRUE COPY OF THE JUDGMENT OF THIS COURT IN W.P..CNO.410/06**
EXT.P8	**TRUE COPY OF THE ORDER OF APPROVAL OF APPOINTMENT OF THE PETITIONER IN W.P.C.NO. 410/06**
EXT.P9	**TRUE COPY OF THE CONDUCT CERTIFICATE OF THE FIRST PETITIONER.**
EXT.P10	**TRUE COPY OF THE CONDUCT CERTIFICATE OF THE SECOND PETITIONER.**

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

W.P.(C).No.25517 OF 2006

Dated this the 14th day of February, 2007

JUDGMENT

Appointment of the petitioners was not approved by Exts.P5 and P6 on the ground that certain documents were not submitted by the manager. Learned counsel for the petitioner points out that the school has been taken over by the Government and at present the Collector, the additional fourth respondent is acting as the manager and if the manager make available all the documents, there cannot be any further reason for denial. Learned counsel for the petitioner submit that he will make available the conduct certificate before the fourth respondent within one week from today.

2. Learned Government Pleader would point out that the interim order passed in W.P.(C)No.26823/06 inter-alia directs the authorised officer only to attend the day today affairs of the school.

3. In such circumstances, the writ petition shall stand

disposed of as follows:

The additional fourth respondent shall make available all the other documents mentioned in Exts.P5 and P6 within a period of three weeks from today before the second respondent. Thereupon, the second respondent will take up the matter relating to approval of appointment of the petitioners and take a decision in accordance with law with notice to the petitioners and all the members of Nhangattoor Educational Society. A decision shall be taken within a period of two months from the date of receipt of a copy of this judgment.

Writ petition is disposed of as above.

K.M.JOSEPH
JUDGE

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